

Article - Environment

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§15–611.

(a) If the Department has reason to believe that a violation of this subtitle, any rules or regulations adopted under it, or the terms and conditions of a permit, including the approved mining and reclamation plan, has occurred, the Department shall serve written notice of a violation on the operator, specifying the facts constituting the apparent violation and inform the operator of his right to a hearing at a stated time and place. Subsequent to or concurrent with service of the written notice, the Department may suspend the permit or issue an order until the violation is corrected.

(b) The hearing shall be held within 45 days after the notice is forwarded to the operator. The operator may appear at the hearing, either personally or through counsel, and present evidence on his behalf. The Department shall render a decision regarding the violation within ten days after the hearing.

(c) The Department may revoke the permit if the violation is not corrected.

(d) Any operator whose permit is suspended or revoked shall be denied a new permit or a renewal of the old permit to engage in mining until he has complied fully with the provisions of this subtitle, the rules and regulations adopted under it, and the terms and conditions of his permit, including any modifications and the approved mining and reclamation plan, and until he has satisfactorily corrected all previous violations.

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